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Department of Water Resources Urban Streams Restoration Program Spring 2002 Grant Application Package

I. Application Instructions

Introduction:

The Department of Water Resources is soliciting applications for Urban Streams Restoration Program grants. This program supports actions that prevent property damage caused by flooding and bank erosion, restore the natural value of streams, and promote community stewardship. Grants can fund projects as simple as a volunteer workday to clean up neighborhood streams, or projects as complex as complete restoration of a stream to a naturally functioning state. If you are interested in applying for a grant, this application package will explain what types of projects qualify and how to apply.

NOTE: This application package is based on the recently amended regulations for the Program (See Attachment 1), which includes a grant cap of \$1 million per project. This change allows the Department, in addition to funding small projects, to provide funds for larger, more complex stream restoration and flood management work.

Funding Available:

The Program received a total of \$25 million with the passage of the Costa-Machado Water Bond Act of 2000 (Proposition 13). The first \$12 million of these funds were awarded during the Spring 2001 application cycle. The Department is now accepting applications to award grants for an additional \$10 million anticipated for fiscal year 2002-2003. The deadline for applications is 4:00 p.m. on March 6, 2002. Projects selected for funding with this money will be announced by August 2002. These projects must be completed by spring 2005.

Grant Review Process:

DWR staff will review all grant applications to determine if they meet the minimum requirements for funding. Eligible applications will then be reviewed by members of an interdisciplinary team of professionals representing the Departments of Water Resources, Fish and Game, and other State resource agencies including engineers, ecologists, planners, and fish and wildlife biologists. The reviewers will evaluate the proposals and rank their performance against the following criteria (Section 451.5(a) of Chapter 2, Title 23, California Code of Regulations):

- (1) Is the project designed to relieve the magnitude or severity of flooding and/or to protect property and resources from bank failure?
- (2) Is the project planned in conjunction with or in lieu of local flood control projects, and would it result in implementation of more environmentally sensitive flood management approaches than would otherwise be implemented? (Note: Any project that directly conflicts with federally authorized and funded flood control projects shall not be funded under this program without the consent of the Director.)

- (3) Does the project use cost effective, low maintenance bioengineering techniques for flood damage reduction while protecting, restoring and enhancing natural environmental values?
- (4) Does the project restore culverted or channelized segments to a condition which optimizes fish passage conditions in fish bearing streams and the natural, recreational, and aesthetic values of the stream consistent with flood control objectives?
- (5) Does the project incorporate non-structural methods to reduce urban flooding and erosion and maintain or improve environmental and social benefits?
- (6) Does the project incorporate riparian restoration techniques that improve habitat for fish and wildlife?
- (7) Does the project use technologies that minimize negative environmental impacts and enhance aesthetic, recreational and economic values?
- (8) Does the project enjoy broad based public and institutional support?
- (9) Does the project incorporate significant participation of local agencies and citizens' groups in project planning, design or implementation? Do the sponsors share in the project costs by providing funds or in kind contributions (i.e. administrative/technical services, labor, materials, or equipment)?
- (10) Does the project provide for collection and distribution of information of value to the public regarding either the community involvement or technical aspects of natural stream restoration?
- (11) Is the project consistent with relevant local land use, water management or general plans?
- (12) Is the project important as an innovation or unprecedented departure in the field of stream restoration?
- (13) What is the value of the project to the general public?
- (14) Is there a particular need for timely action on this project?
- (15) Are other funding sources available to the applicant? Is the Department the only likely funding source for this project? Will providing this grant allow implementation of a larger, collaborative, multi-objective project?
- (16) Is there a need for continuity and final implementation of plans previously funded by the Program?

After weighing the merits of the proposals against available program funds, the reviewers and DWR staff will recommend awards to the Director of DWR. The team may recommend a lower level of funding than the application requests if the applicant can still implement a meaningful portion of the proposed work or can raise the difference in funding from other sources. The team will also consider the location and size of proposed projects to provide for a reasonable geographic distribution of projects and a balance between small and large projects.

Once a project is selected for funding, a contract must be negotiated to transfer the grant award to the applicant. Grant payments are paid in arrears (payment is made only after proof is shown that work is completed). Grantees can generally expect payment approximately 45 days after submitting invoices.

Timeline for Spring 2002 Cycle:

Below is a timeline for the Spring 2002 application process.

Application cycle begins:	December 21, 2001
Applications due:	March 6, 2002 by 4:00 p.m.
Urban Streams staff contacts semi-finalists to arrange for site visits:	May 15, 2002
List of recommended projects sent to DWR Director:	July 15, 2002
Notification of successful applicants:	August 1, 2002
Preparation of contracts for grantees:	October 1, 2002 (earlier, if successful applicants have all necessary documentation prepared)

Project Eligibility:

What kinds of projects qualify?

All potential grant projects must have flood management or erosion control as a primary objective. Projects must also maintain or enhance the environmental characteristics of a stream or restore a stream to a more naturally functioning state. Additionally, projects should promote awareness and stewardship of streams by including the community in planning, implementing, monitoring or maintaining the stream.

What sorts of places can be restored?

- Natural urban streams or creeks or small rivers even if they flow only during the rainy season
- Channelized creeks in urban areas
- Greenbelt areas or designated open space areas adjacent to an urban creek or a small river that are used for flood management

Types of projects eligible for funding are outlined in Section 451.3 of the Program Regulations and include the following:

- (a) Projects designed to organize and/or supervise volunteer labor to clear debris from stream channels and perform erosion control and bank stabilization work.
- (b) Projects designed to develop and implement stream restoration plans.
- (c) Projects designed to use bioengineering techniques to install plant materials, rock, netting, mulch, wood fencing, irrigation or drainage systems necessary to control erosion or stabilize banks.
- (d) Projects designed to remove culverts or storm drains as needed to stabilize and restore channels or accomplish flood control objectives.

- (e) Projects designed to carry out nonstructural flood control actions that contribute to the goal to protect, restore and enhance natural stream environments, including the acquisition of land, and the elevation, relocation and/or floodproofing of structures.
- (f) Projects that utilize local community conservation corps and other nonprofit corporations for local stream clearance, flood mitigation and cleanup activities.

For purposes of this program, an urban stream is defined as "a creek which crosses built-up residential, commercial, or industrial property, or which crosses land where, in the near future, the land use will be residential, commercial, or industrial" (Water Code Section 7048(e)).

The term "stream clearance" refers to removal of garbage, junk and excessive vegetation to allow for more effective geomorphic functioning of the stream and prevent excessive deposition or excessive erosion, while maintaining suitable vegetation and woody debris to provide aquatic and riparian habitat.

The term "flood mitigation measures" refers to the following activities: selective removal of excess sediment or debris deposited during a flood event which is likely to deflect or restrict flows and increase flooding or erosion in the future; bioengineering projects to restore streambanks damaged during flood events; and revegetation efforts to improve the fluvial geomorphology of streams.

What kinds of projects do not qualify?

- Exclusively educational or fish and wildlife enhancement projects
- Lakes or large rivers
- Wetlands or marshes, except where restoration will reduce flooding or erosion on an adjacent urban stream
- Exclusively planning projects without a defined and certain implementation commitment

Although projects exclusively focused on education or fish and wildlife enhancement are not eligible, projects that address flooding or erosion *and* include educational and habitat benefits are more competitive.

Planning projects must contain an action component indicating that on-site work will be performed. Projects that have completed the planning process and received authorizations are generally preferred.

How to Apply:

What exactly do I have to do?

- Read the application materials carefully and decide if your project appears likely to qualify for a grant
- Find one or more cosponsors
- Acquire the required resolutions or letters of intent with appropriate signatures (see section below on resolutions for citizen's groups and local public agencies)
- Properly complete and have designated representatives sign the original application
- Assemble supporting approvals or documents
- Submit all documents with six copies to DWR by 4:00 p.m. on March 6, 2002

Sponsors and Cosponsors:

All potential projects must have two sponsors: a local agency and a community group. Either entity may act as the primary sponsor for the project. Both parties will be required to sign the contract.

If the sponsor is a local public agency, the cosponsor must be a non-governmental entity or a private citizen's group or organization, such as a club or charitable foundation. If the sponsor is a private citizen's group or organization, the cosponsor must be a local public agency, such as a public parks agency, a water district, a city, a county, or a resource conservation district.

A local community conservation corps may act as sponsor or cosponsor for a project, and will fulfill the requirement for either the local agency or citizens group, depending on its legal status. For a definition of local community conservation corps, see the Program Regulations (Attachment 1).

Resolutions and Letters of Intent:

Both the sponsor and the cosponsor group are required to submit a resolution of support for the proposed project.

Public Agency:

If you are a local public agency, you must submit a resolution either stating that your agency is sponsoring the project or is aware of the plans and will act as cosponsor, if the citizen's group is sponsoring the project. Your resolution must also explain how your agency will address any environmental impacts, and designate a person from your agency to sign a grant contract, a person to act as project manager, and a person to act as a fiscal agent that will submit invoices to DWR for reimbursement. See Attachment 2 for a sample resolution for local public agencies.

If the resolution cannot be drawn up and adopted before the application is due, a letter of intent will be accepted until the resolution can be submitted. This letter should be signed by a mayor or city manager, if a city is applying; a chairperson of the board of supervisors, if a county is applying; or the manager or director, if a water district or agency is applying. If one of these people is not available, the signature of a designated staff person or assistant will be accepted. The letter must state support for the project, accept responsibility for compliance with CEQA, and state when the resolution will be sent to DWR.

Private Citizen's Group:

If you are a private citizens' group or organization, you need a resolution from the board of directors stating that the board is the sponsor of the project or that it supports the project if the local government agency is the sponsor. The resolution must also designate a person from your organization to sign a contract, a person to act as project manager, and a person to act as a fiscal agent that will submit invoices to DWR for reimbursement. The resolution should also state how CEQA compliance will be met. See Attachment 3 for a sample resolution for citizen's groups.

If there is no time to get a resolution drawn up before the due date, a letter of intent signed by the chairperson or designated assistant of the chairperson will be accepted. The letter must express support for the project and state when the resolution will be sent to DWR.

Notes for both parties:

Both resolutions must designate the same person or position to act as the fiscal agent. This may be someone from the local agency, the citizen's group or another party (see information on ad hoc groups below).

If not submitted with the application, resolutions must be submitted before the contract will be approved, if that particular project is awarded a grant. Grant reviewers may consider whether resolutions are included in the application packet when evaluating readiness to proceed with implementation.

Ad hoc groups:

What if our organization was formed ad hoc (just for a specific purpose) and does not have nonprofit status?

An ad hoc group may act as the citizens group sponsor for the project. Usually in this case, the governmental cosponsor will act as fiscal agent. However, if the governmental cosponsor is not acting as the fiscal agent, the applicant must secure a fiscal agent, in the form of another local agency or an organization having nonprofit status. The fiscal agent submits all documentation to the State and receives funds from the State.

The fiscal agent must submit a letter or resolution stating support for the project and agreeing to act as agent, and show evidence of federal tax-exempt status.

Letters of Support:

All other letters of support from community groups, nonprofit organizations, or politicians must be sent in with the grant application or as soon as possible after the due date. If these letters are not included with the grant application, they might not be included in the review. Please be sure these letters clearly state the name of the stream and the project sponsor. One of the selection criteria for project eligibility is community support.

Working on Private Property:

If neither the sponsor nor the cosponsor own the project site, include a letter of support from the landowner(s), along with an explanation regarding plans and commitments for ongoing management of the site.

California Environmental Quality Act:

For projects awarded urban stream grants, project sponsors are solely responsible for meeting compliance requirements of the California Environmental Quality Act (California Public Resources Code Sections 21000-21177). For details on CEQA, refer to the following website: http://ceres.ca.gov/ceqa. CEQA requirements may be met after the grant applicant has been found eligible; however, both resolutions should state how CEQA compliance will be met. Grant funds for construction will be available only after the project is in compliance with CEQA and

other environmental laws. Funds for planning and document preparation may be available sooner if included in the grant contract work plan. The grant review team may consider whether CEQA requirements have been met at the time of application when assessing readiness to proceed and prioritizing projects.

Permits:

Project sponsors are solely responsible for complying with permitting requirements for their project. DWR will require submission of copies of necessary government permits, agreements, or environmental documents with the application or before construction. As part of the application, sponsors must identify expected permits required, state whether they have begun the process to obtain permits, and indicate permits which could significantly delay project implementation. At a minimum, expect to consult with the California Department of Fish and Game (CDFG) regarding the necessity for a Streambed Alteration Agreement. The attached Permitting Template (Attachment 4) is provided to help you identify potential permits that may be required for your project. Actual permits required will depend on the size, scope and location of your project. For additional information, please refer to the Permitting Page on the Urban Streams Program web site. The grant review team may take permit status under consideration when prioritizing projects for funding.

Project Photographs:

With your application, please submit labeled photographs of the project site clearly showing flooding or erosion problems and locations of proposed stream restoration work. Include six copies (color copies are acceptable).

The Department will require all grant recipients to provide additional photo documentation during and after implementation of restoration projects. Digital pictures are strongly preferred, but not required.

Local Contributions:

One of the goals of the Program is to promote awareness and stewardship of community streams; therefore, the grant review team looks for evidence of significant local involvement in the project. While no specific amount of local matching funds is required to receive a grant, the grant applicant or community must contribute something to the project. The contribution may be a financial match of the grant, an in-kind contribution, or a combination of both.

Examples of these types of contributions include:

- Labor
- Materials
- Expertise
- Heavy Equipment
- Rights of Way, Easements
- Money

Grant applicants may also solicit matching funds from private companies. The grant review team looks favorably upon these kinds of matched funds. Companies could match in part or in whole the dollar amount of the grant awarded by the State to the applicant. Local chambers of commerce provide assistance in locating companies willing to donate matching funds. Every

grant applicant is encouraged to make use of this assistance. Applications with funding from more than one source are generally more competitive.

Long Term Management:

By their nature, streams are dynamic systems and may be significantly altered by storm events, to the point of requiring additional work to protect property and habitat values. Bioengineering and other non-structural flood management approaches, though generally considered relatively low maintenance projects, may require some follow up work to ensure their effectiveness.

Please submit details on planned monitoring and ongoing management of the stream to evaluate and ensure long term project success. Include entities responsible, funding sources, resources available, and period of commitment.

Acquisition Projects

Acquisitions are eligible for funding if they are part of a larger project to provide a flood or erosion control benefit while enhancing and restoring the natural environment. Any property rights must be acquired by the local agency cosponsor from a willing seller, and selected projects will be required to submit appraisal and preliminary title reports prior to funding (for a list of appraisal requirements, contact Program staff). Additional requirements include a long-term maintenance agreement and sufficient notification to adjacent landowners.

II. Application Requirements

Fill out the Grant Application completely. Incomplete applications will be disqualified. **Send one original and six copies.**

Please include: Signatures Applications must have the appropriate signatures from authorized representatives of the sponsor and cosponsor. (Note: at least one copy of the application's Project Identification Page must have original signatures from both parties. FAX copies will not be accepted in place of an original.) Resolutions or letters of intent Include resolutions of support for the application and acceptance of a grant (if a grant is offered) by the sponsor and cosponsor. See above for discussion on resolutions and letters of intent. Maps and diagrams of the project Include regional and site location maps, and indicate access to and ownership of the site. For all projects except creek cleanups, at a minimum include a cross-section and a plan view of proposed site work. Please also include GPS project location information (latitude and longitude), if available. Plans and specifications The level of detail will depend on the size of the project. Include plans, site designs or

other materials that clearly explain the proposed project. If separate documents are

included with your application, copy the most relevant pages and reference the document in your application (you may send one copy of relevant CEQA and other large planning documents). The grant review team may propose to modify or adjust the initial project plans somewhat. The proposals are a part of any grant offer.
Project Photographs Include photos clearly showing site and problem to be addressed. Color xerox pictures are acceptable for the application process.
California Environmental Quality Act (CEQA) requirements As part of the application package, both resolutions should state how CEQA requirements have been or will be met. If a nonprofit organization is applying, the governmental cosponsor is responsible for assuring CEQA compliance. See above section on CEQA for further information.
Appropriate permits Applicants are required to indicate the type of permits necessary to complete the project, permitting submittal and acquisition status, and potential project delays due to permitting (see Attachment 4 for Project Permitting Template). Permitting costs may be included in the application budget and will be reimbursed when a grant contract is in force.
Letters from landowners If the project site is not owned by one of the project sponsors, please include letter(s) from the property owner(s) stating support for the project and willingness to manage the stream in accordance with goals of the program
A detailed estimated budget should include:
Cost of stream restoration You may include funds needed for planning and design, project management, community outreach and coordination, permitting, construction, maintenance and monitoring (if planned). Please number and provide subtotals for each section of budget (See Attachment 5 for sample budget).
➤ Labor costs Include estimated hourly rate and hours required for completion of tasks. Include estimated costs for volunteer time as in-kind contributions. Typical volunteer rates range from \$10 - \$20/hour depending on task and experience.
Administrative costs Overhead costs usually range from 5 to 10 percent, but depend on complexity of project coordination.
Costs of materials & equipment Show cost breakdown and include donated materials as in-kind contributions.
 Acquisition Costs (if applicable) Please complete Attachment 6 and include with budget.
A timeline estimating implementation dates for various project tasks
Original application and 6 copies

Contact Information:

If after reading this instruction packet, you would like additional information regarding the grant application or would like to discuss your project's eligibility, you may contact DWR regional staff (see contact information below). You are also invited to send by email or fax a one-page description of your project for feedback prior to completing your application. Time permitting, staff may also be able to provide suggestions to help you complete your application.

Program Coordinator:	Sara Denzler	(916) 651-9625	email: sdenzler@water.ca.gov
Red Bluff:	Fraser Sime	(530) 529-7374	email: simef@water.ca.gov
San Francisco Bay Area:	Kurt Malchow	(916) 651-9627	email: kurtm@water.ca.gov
Sacramento / Fresno:	Susan Oldland	(916) 651-9626	email: susano@water.ca.gov
Los Angeles / San Diego:	Bea McKamey	(818) 548-3040	email: beam@water.ca.gov

Application Deadline/ Mailing Address:

Please remember that DWR must **receive** your signed application and six copies by 4:00 p.m. on March 6, 2002.

Mail to:

State of California
Department of Water Resources
Division of Planning and Local Assistance
Urban Streams Restoration Program
P.O. Box 942836
Sacramento, CA 94236-0001

Attention: Sara Denzler, Program Coordinator

For overnight deliveries, send to:

Attention: Sara Denzler
Department of Water Resources
Urban Streams Restoration Program
1416 Ninth Street, Room 338
Sacramento, CA 95814

Total Project Budget \$	Proposal Number		
<u> </u>	(for DWR use only)		
Total Grant Request \$			
Ofer and Name			
Stream Name			

GRANT APPLICATION

SPRING 2002

State of California
Department of Water Resources
Division of Planning and Local Assistance
Urban Streams Restoration Program

A. Project Identification Information:

Agencies, city councils, boards of directors, districts, citizen's groups, local conservation corps or nonprofit organizations can submit an application. See Application Instructions for detailed instructions for completing this application. (Note: applicant and cosponsor cannot both be governmental; however, one must be.)

i. Project Sponsors			
a) Organization or government agency submitting the app	lication:		
Name of Project Manager: Name of Organization or Agency: Street Address: City, Zip: Area Code/Telephone: Fax: Email: County: Name of Official representing agency or organization:			
Signature:	Date:		
b) Organization or government agency cosponsoring this	s application:		
Contact Name: Organization or Agency: Street Address: City, Zip: Area code/Telephone: Fax: Email: County:			
Name of Official representing agency or organization:			
Signature:	Date:		
 c) If the applicant is an unincorporated citizens group an organization as fiscal agent to submit the application, Contact name of person representing nonprofit organization: Name of organization acting as fiscal agent: Street Address: City, Zip: Area Code/Telephone: 			
Email: Federal Nonprofit ID number:			

d) List other project endorsers and participants, including property owners if not the sponsor or cosponsor (please attach letters from the individuals or organizations listed here):
II. What is/are the name(s) of the stream(s) or creek(s) you are planning to restore? In what city or unincorporated community, county, and Legislators' districts is your project located?
Name of Stream(s): City or Community:
County:
Senate District Number and name of representative: Assembly District Number and name of representative: Congressional District Number and name of representative:
III. Is your project in an area already developed for residential, commercial, or industrial use? If not, is it designated for such development in an adopted general plan?
IV. Please attach a map locating your project site that includes the regional context and local access to the site. Also indicate GPS location (latitude and longitude), if available, and name of property owner(s) on the map.
V. Please provide photographs of your site, clearly showing site and problems to be addressed. (Color copies are acceptable. Please submit a total of seven copies.)

B. Application Questions:

Please read the application instructions carefully and then answer the following questions. An incomplete application will be disqualified. You may attach additional pages if needed or transfer questions to a word processing document. Your answers to all thirteen questions must total no more than 12 pages in length (not including attachments) using a minimum of 11 point font for word processing.

1. Briefly describe your proposed project and explain how it meets the goals of the Urban Streams Program. Your project must help contribute to the reduction of property damage from floods or bank failure, enhance environmental values and promote community stewardship.

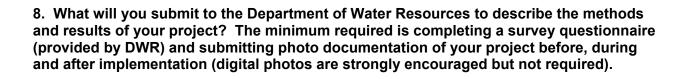
2. Describe the stream restoration or watershed management techniques you will use. If your project includes any acquisitions, describe the acquisition, including type (fee title, easement, etc.), size, and benefit of purchasing the property or interest. Explain any property restrictions and/or encumbrances which might impact the project proposed for this site.

- 3. Describe the benefits of your project:
 - a. How will the project reduce flooding and erosion (it may do so by restoring the stream system or reducing sedimentation or maintenance problems)?
 - b. How will your project restore, enhance or preserve a riparian environment?
 - c. How will your project benefit fish and wildlife?
 - d. How will the project contribute to the health of the watershed?
 - e. What aesthetic, recreational and/or economic benefits will your project provide?

- 4. Describe how this project relates to the larger flood protection picture, including the following elements:
 - a. Is this project a supplement to or being planned in lieu of a local or co-operative local-federal flood control project? If so, please describe the agencies and organizations involved, the stage of the planning process, and the currently proposed plans.
 - b. Will this project result in implementation of more environmentally sensitive flood management approaches than would otherwise be implemented?
 - c. Will your proposed project fully treat the problems at the project site? If not, please briefly describe the scope and funding needs of other similar projects or phases that would be appropriate to fully address the problems on this stream.

- 5. Describe where you are in the planning process for this project.
 - a. Are you requesting funding for planning as well as implementation?
 - b. Is this project consistent with relevant local land use, watershed, water management and general plans? If not, please explain.

6.	Describe the community support for this project:			
	a. Does the project enjoy broad-based community and institutional support?			
	b. How does the project incorporate participation of local agencies and citizens groups in project planning, design, or implementation?			
co thi	What educational benefits will be derived for the public, and what technical ntribution to the problem of stream restoration or stream corridor management might s project provide? Describe any mechanism included for collecting and distributing ormation regarding this project.			



9. What are your plans for long-term management or maintenance of the stream(s) you are managing or restoring? How will you ensure that the property restored will be maintained as a natural stream? What will you do to evaluate the success of the project (Note: any DWR funded post-project monitoring activities must be completed by Spring 2005)?

10. The legislation authorizing this program requires applicants to provide a local contribution to the costs of the project. This contribution can be monetary, materials, labor, volunteer labor, staff time, or land easements. Please state how you will meet this requirement.
Toquilonia.
11. Please describe the funding sources for your project.
a. Please indicate any other grants that you have applied for and/or received.
d. If you do not receive your DWR grant request, what other options do you have to meet your project objectives?
c. If your grant proposal was selected for partial funding, what components of your project would you choose for priority funding?

- 12. Please attach your proposed budget.
 - a. Where possible, quantify the components of your planning or design process, the lateral and linear extent of restoration work, labor, materials, and equipment requirements. Indicate tasks to be funded by DWR and by other sources as well as in-kind contributions (see Attachment 6 for sample budget). Also, include a timeline for implementing your project.
 - b. If your project includes acquisitions, fill out Attachment 6 and include it along with your budget.
 - c. Include a timeline for implementing your project.

Note: Insufficient budget information may reduce consideration of your proposal for funding.

- 13. Describe any compelling reason the grant review team should select your project from among the many worthy projects applying for funding this cycle.
 - a. Is there an urgent need to implement this project this year?
 - b. Is the project a continuation of previously completed work, and the next phase is crucial for the continued success of the prior work? If so, was the previous work funded by DWR?
 - c. Does this project provide an innovative approach to stream management that might influence imminent projects in your area?

Attachment 1:

Text of Regulations for Grant Program under the Urban Creek Restoration and Flood Control Act of 1985

(1) In Chapter 2, Title 23, California Code of Regulations, amend Subchapter 2.4, Sections 451.1 through 451.6, inclusive to read as follows:

Subchapter 2.4. Grant program under the Urban Creeks Restoration and Flood Control Act of 1985.

- 451.1. Definitions. The words used in this subchapter have the meanings set forth below:
- (a) "Bioengineering" is the use of horticultural and landscape planting techniques with living materials, in conjunction with grading, earth moving and conventional soil stabilization structures, to produce a self-repairing, low-cost composite bank or channel.
- (b) "Citizens' Group" is an organization of the public, which has no official governmental status, including but not limited to clubs, societies, neighborhood organizations, advisory councils, and non-profit local community conservation corps and other non-profit organizations.
- (c) "Co-sponsor" means a local agency involved in planning, flood control or waterway management or an individual or citizens' group interested in floodplain management and stream restoration which, jointly with the sponsor, supports and actively participates in a project. There may be more than one co-sponsor for a single project. If the sponsor is a local agency, at least one co-sponsor must be a citizens' group and vice-versa.
- (d) "Department" means the California Department of Water Resources.
- (e) "Eligible project costs" means reasonable costs associated with carrying out a project as described in section 451.3, including the reasonable costs of organizing community and/or volunteer groups, engineering, land and easement acquisition, legal fees, preparation of the application for funding, preparation of environmental documentation, environmental mitigation, and construction. Costs incurred prior to applying for or entering into a contract for grant funding may be reimbursed at the Department's discretion. Costs that are not eligible include regular operation and maintenance costs, and costs for the purchase of movable equipment not an integral part of the project.
- (f) "Endorse" or "Endorser" means a group or individual who expresses written support for a grant application and may or may not have a commitment to actively participate.
- (g) "Enhancement" means the process of improving upon current conditions, and may be used to describe a program that would result in a channel gaining desired features, while considering conditions for fish and wildlife. It is distinguishable from "restoration" in that it does not imply merely a return to natural conditions, but may include the provision of recreation or other features that were not part of the natural channel.
- (h) "Flood mitigation measures" refers to selective removal of excess sediment or debris deposited during a flood event which is likely to deflect or restrict flows and increase flooding or erosion in the future, bioengineering projects to restore streambanks damaged during flood events, and revegetation efforts to improve the fluvialgeomorphology of streams.
- (i) "Local Agency" means any political subdivision of the State of California, including but not limited to any county, city, city and county, district, joint powers agency, local community conservation corps agency, or council of governments.
- (j) "Local Community Conservation Corps" is a non-profit benefit corporation formed or operating pursuant to Part 2 (commencing with Section 5110) of Division 2 of Title 1 of the Corporations Code, or an agency operated by a city, or city and county, which is certified by the California Conservation Corps under Section 14507.5 of the Public Resources Code. These organizations may also be referred to as local

urban conservation corps or local conservation corps to avoid confusion with the California Conservation Corps.

- (k) "Nonstructural" refers to measures which solve flooding or erosion problems without physically changing the dimensions of a waterway. This may include floodplain zoning, land acquisition, flood insurance, watershed management, debris removal, and floodproofing of existing structures by elevating or building a berm around them, but does not include constructing storage reservoirs or lining channels.
- (I) "Restore" means to reproduce and reestablish the physical and biological characteristics of a natural channel which would occur at a given location under the current climatic, geologic and hydrologic conditions. Either a natural channel that has been damaged or a channel that has been modified by human efforts can be restored.
- (m) "Sponsor" means a local agency involved in planning, flood control or waterway management or an individual or citizens' group interested in floodplain management and stream restoration, which is acting as the principal party making the grant application and which will have primary responsibility for executing the contract, submitting the invoices and receiving reimbursements.
- (n) "Stable" and "stabilize" refer to the state or process of bringing a channel to a condition of equilibrium in which the dimensions and gradient are appropriately matched to the watershed and the runoff of water and sediment, with the objective to have a self-maintaining system.
- (o) "Stream clearance" refers to removal of garbage, junk and excessive vegetation to allow for more effective geomorphic functioning of the stream, so that there is neither excessive deposition or excessive erosion, while maintaining suitable vegetation and woody debris to provide aquatic and riparian habitat.

NOTE: Authority cited: Section 7048, Water Code. Reference: Sections 7048 and 79062, Water Code.-

451.2 Program purposes.

- (a) The Urban Creek Restoration Program is intended to protect, restore, and enhance urban creek channels by combining effective, low-cost flood control with preservation and enhancement of the natural environment. Its purpose is to reduce flooding and erosion in ways which restore the ecological viability of creek environments located in predominantly urban areas, thereby enhancing aesthetic, recreational, and fish and wildlife values.
- (b) Urban creek protection, restoration and enhancement are best undertaken at the local level by a combination of local agencies and citizens' groups. Local agencies and citizens' groups have the greatest incentive to make the projects successful. Community participation reduces the cost of the projects and fosters long-term community commitment to maintenance of the projects and affected streams. The Urban Creek Restoration Program is designed to provide assistance from the State to the local effort.
- (c) The Urban Creek Restoration Program is designed to contribute to the long-term enhancement and restoration of natural stream corridors in the State of California by encouraging projects which contribute to the education of the public in methods of stream restoration or stream corridor management and develop new techniques and innovative technologies in the field of stream restoration.

NOTE: Authority cited: Section 7048, Water Code. Reference: Section 7048, Water Code, Sections 5907(e)(3) and 5919, Public Resources Code.

- 451.3 Types of projects for which assistance is available. Planning and financial assistance will be available for projects designed to accomplish one or more of the objectives listed below:
- (a) Projects designed to organize and/or supervise volunteer labor to clear debris from stream channels and perform erosion control and bank stabilization work.
- (b) Projects designed to develop and implement stream restoration plans.

- (c) Projects designed to use bioengineering techniques to install plant materials, rock, netting, mulch, wood fencing, irrigation or drainage systems necessary to control erosion or stabilize banks.
- (d) Projects designed to remove culverts or storm drains as needed to stabilize and restore channels or accomplish flood control objectives.
- (e) Projects designed to carry out nonstructural flood control actions that contribute to the goal to protect, restore and enhance natural stream environments, including the acquisition of land, and the elevation, relocation and/or floodproofing of structures.
- (f) Projects that utilize local community conservation corps and other nonprofit corporations for local stream clearance, flood mitigation and cleanup activities.

NOTE: Authority cited: Section 7048, Water Code. Reference: Sections 7048 and 79062, Water Code.-

- 451.4 Applications for financial assistance.
- (a) Grant funding in an amount not to exceed \$1 million per project shall be available for eligible project costs associated with projects described in section 451.3 above. Assistance may be given under the Urban Creek Restoration Program to projects which involve the assistance or participation of Federal or State agencies, so long as those projects are sponsored by at least one local agency and at least one citizens' group.
- (b) The Department shall conduct periodic grant application cycles based upon availability of funding and the existing pool of projects approved for funding. For each grant application cycle, the Department shall notify the public that financial assistance is available. Applications for funding shall be due 75 days after mailing of the notice. When funding constraints require a streamlined application cycle, the notice shall so state and applications for funding shall be due 30 days after mailing of the notice. Applications may be made for projects to be implemented in phases. The Department may require a new application for funding for each phase of a project, and may re-evaluate the project during each successive application cycle. Unfunded applications from a previous cycle may, at the discretion of the Department, be carried over for consideration in the next application cycle.
- (c) Applicants for financial assistance shall file a written application. A complete application shall include, but not be limited to, the following information:
- (1) A cover sheet identifying all sponsors, co-sponsors, the program manager and any endorser of the project, and providing information regarding the sponsor's legal authority to submit the application. Attached to the cover sheet shall be a map showing the location of and access to the proposed project site.
- (2) A summary statement describing the purpose of the project proposal. The summary statement shall address how the project or plan proposes to meet the program objectives set forth in sections 451.2 and 451.3 above and fits within the goals of California Water Code section 7048, and whether the grant will assist in planning or implementation of a creek restoration project, or both.
- (3) A description of the stream restoration or watershed management techniques the applicant proposes to use.
- (4) A description of the project's relationship to other flood control projects, which states whether the proposed project and/or plan supplements or would be in lieu of a local or cooperative local-federal flood control project, and whether it is consistent with applicable local land use, water management and/or general plan. If there is any relationship between the proposed project and other flood control projects, the description shall identify the agencies and organizations involved and summarize the plans and features of the other projects.
- (5) A description of the proposed project's use of public participation in planning, design or implementation of the project.

- (6) A description of the educational benefits to be derived by the public and any technical advances or demonstrations of new methods of stream restoration or stream corridor management the project may provide. This should include a description of the photographs, charts, videotapes, reports, or other materials the applicant plans to develop to illustrate the methods used and the results obtained by the project. At the completion of the project, copies of these materials are to be submitted to the Department of Water Resources, which shall make them available to the public upon request and payment of its reasonable reproduction costs.
- (7) A description of plans for long-term management or maintenance of the stream which the project will affect.
- (8) A disclosure of other options available to the applicant to carry out the proposed project if the Urban Creek Restoration Program is unable to provide full funding, including other potential funding sources. The applicant shall identify the priority set by the applicant on various project components, to be used in the event partial funding is provided.
- (9) A description of all anticipated local contributions to defray the cost of the project, which may include financing, materials, paid or volunteer labor, administrative services, rights-of way, easements, equipment or landfill fees.
- (10) A project budget reflecting all costs associated with the project, and designating specifically costs to be covered by the grant request, costs to be covered by local contributions and costs to be covered by any other source. The budget should quantify costs for planning and design, ground area of restoration work, labor, material and equipment requirements, and display the total project budget in relation to the total amount of the grant request.
- (11) A project schedule designating anticipated start and finish dates, and highlighting any times or components which are contingent upon the actions of other entities.
- (12) During the administration of this program and the evaluation of applications, additional technical, financial, hydrologic, bioengineering, soil and water quality, environmental, water rights, legal analyses and justifications, and other relevant information may be required by the Department.

NOTE: Authority cited: Section 7048, Water Code. Reference: Sections 7048 and 79062, Water Code.-

- 451.5 Priority for financial assistance.
- (a) For each application cycle, the Department shall establish a priority list pursuant to the requirements of Water Code Section 7048(c), after considering the recommendations of an interdisciplinary team comprised of technical experts from the Department of Water Resources and a representative of the Department of Fish and Game, and based upon the following criteria:
- (1) Is the project designed to relieve the magnitude or severity of flooding and/or to protect property and resources from bank failure?
- (2) Is the project planned in conjunction with or in lieu of local flood control projects, and would it result in implementation of more environmentally sensitive flood management approaches than would otherwise be implemented? (Note: Any project that directly conflicts with federally authorized and funded flood control projects shall not be funded under this program without the consent of the Director.)
- (3) Does the project use cost effective, low maintenance bioengineering techniques for flood damage reduction while protecting, restoring and enhancing natural environmental values?
- (4) Does the project restore culverted or channelized segments to a condition which optimizes fish passage conditions in fish bearing streams and the natural, recreational, and aesthetic values of the stream consistent with flood control objectives?

- (5) Does the project incorporate non-structural methods to reduce urban flooding and erosion and maintain or improve environmental and social benefits?
- (6) Does the project incorporate riparian restoration techniques that improve habitat for fish and wildlife?
- (7) Does the project use technologies that minimize negative environmental impacts and enhance aesthetic, recreational and economic values?
- (8) Does the project enjoy broad based public and institutional support?
- (9) Does the project incorporate significant participation of local agencies and citizens' groups in project planning, design or implementation? Do the sponsors share in the project costs by providing funds or in kind contributions (i.e. administrative/technical services, labor, materials, equipment)?
- (10) Does the project provide for collection and distribution of information of value to the public regarding either the community involvement or technical aspects of natural stream restoration?
- (11) Is the project consistent with all relevant local land use, water management or general plans?
- (12) Is the project important as an innovation or unprecedented departure in the field of stream restoration?
- (13) What is the value of the project to the general public?
- (14) Is there a particular need for timely action on this project?
- (15) Are other funding sources available to the applicant? Is the Department the only likely funding source for this project? Will providing this grant allow implementation of a larger, collaborative, multiobjective project?
- (16) Is there a need for continuity and final implementation of plans previously funded by the Program?
- (b) Applications reviewed shall be considered for partial funding to increase the number of projects that may be funded. The Department may allocate funds for a project in an amount less than the amount requested in the application. The Department shall also consider the location and size of proposed projects to provide for a reasonable geographic distribution of projects and a balance between small and large projects. The Department will coordinate with CALFED to ensure projects funded are not in conflict with CALFED goals and objectives.
- (c) The priority list shall consist of all projects for which funds are allocated in a given application cycle. The Department may establish a reserve list of projects to which funds may be allocated if applicants on the priority list decline grants, abandon their projects, or otherwise fail to use the entire amount of funds allocated to them. The Department may establish an additional priority list from the remaining pool of qualified applicants if additional funds become available.

NOTE: Authority cited: Section 7048, Water Code. Reference: Sections 7048 and 79062, Water Code.

451.6 Contract requirements

(a) Prior to entering into a contract, representatives of the Department may visit the project site to assess its conditions and needs, and then meet with all the project sponsors, co-sponsors, endorsers, and any other local officials, agencies and/or organizations with an interest in the project to develop a work plan. The work plan shall reflect the specific schedule and components of the project, and incorporate recommendations made by the Department. The work plan shall be attached to and become a part of the contract between the Department and the applicant. The Department may require all individuals or organizations it believes to be integral to the effective completion and long-term maintenance of the project to endorse the work plan.

- (b) The project sponsors must provide an opportunity for public comment, unless the Department waives this requirement for good cause. A public meeting held to adopt a resolution to support the project or accept a grant will satisfy this requirement. Grants that involve trash and debris clean up only may be exempted from the public comment requirement. A contract will be signed by the Department only after the sponsor provides copies of resolutions from the sponsor and all co-sponsors accepting the grant and authorizing specific individuals to sign the contract on the behalf of each.
- (c) The Department may enter into a contract before the sponsors and/or co-sponsors have obtained all applicable permits, but may not disburse any funds to be used for project construction until the sponsors and/or co-sponsors have complied with all applicable federal, State and local laws, rules and regulations, and obtained all required permits.
- (d) All applicable requirements of the California Environmental Quality Act (California Public Resources Code sections 21000-21177) and applicable regulations shall be compiled with prior to entering into a contract.
- (e) If a contract is not signed within six months of the date the priority list is approved, the grant may be withdrawn or revised.
- (f) All contracts shall be signed by all the sponsors and co-sponsors. If the sponsor is a citizens' group that is not a non-profit corporation, it must designate a fiscal agent to act on it's behalf, and provide evidence that the fiscal agent agrees to so act.
- (g) The contract shall require the sponsors and/or co-sponsors to submit a written report of the project to the Department upon completion. The report must include photographs of planning and restoration activities and techniques.
- (h) The contract shall include, as part of the work .plan, a plan for the long-term management or maintenance of the stream which the project will affect.
- (i) The Department may withhold up to 10 percent of the grant amount until the project and final report are complete to the Department's satisfaction.
- (j) During planning and construction the Department may inspect the project at any reasonable time to ensure it is being carried out in accordance with the work plan, and after completion to ensure that it is being properly maintained.

NOTE: Authority cited: Section 7048, Water Code. Reference: Section 7048, Water Code, Sections 5907(e)(3), 5917, 5918 and 5919, Public Resources Code.

Attachment 2:

Sample Resolution for Public Agency

Resolution endorsing application for an Urban Streams Restoration Grant and determining appropriate environmental impact document, conditionally accepting grant if offered, and designating contract manager and fiscal agent.

Assistance, Urban Streams Restoration Program has announced the availability of
funds for grants; and
WHEREAS, said grants are intended to help solve flooding and erosion problems
in a way that provides environmental enhancement; and
WHEREAS, the (Citizen's Group) has proposed to cosponsor a grant
application with (Government Agency Adopting Resolution); and
WHEREAS, we have concluded the project proposed for funding with the grant
funds would be environmentally beneficial and (pick one of the following):
(a) categorically exempt from requirements of the California Environmental Quality Act
(CEQA) under one or more of the following exemptions per sections 15300-15329 of the CEQA Guidelines: (select appropriate class[es]);
the CEQA Guidelines: (select appropriate class[es]); (b) we have adopted a(n) (identify the name and year of environmental document, e.g.,
Negative or Mitigated Negative Declaration, Environmental Impact Report,
1999) ;
(c) we will comply with all requirements of CEQA prior to implementation of the project.
WHEREAS, we consider the prospects of receiving a grant to be reasonably
likely.
NOW, THEREFORE, BE IT RESOLVED
We the (Local Agency Governing Board) approve the joint application with
(Citizen's Group) for an Urban Streams Restoration Program grant.
If offered such a grant, we authorize (Signator for Public Agency) to accept and sign
any contract for administration of the grant funds, (Project Manager) to develop a work
plan for the project, and (Fiscal Agent) to submit invoices to the Department of Water Resources for activities carried out under the work plan for the grant contract.
Resources for activities carried out under the work plan for the grant contract.
LOCAL PUBLIC AGENCY
(Signature)
(Cignataro)
(Title)

Date: _____

Attachment 3:

Sample Resolution for Private Citizens' Group

Resolution endorsing application for an Urban Streams Restoration Grant and determining appropriate environmental impact document, conditionally accepting grant if offered, and designating contract manager and fiscal agent.

WHEREAS, the California Department of Water Resources, Division of Local
Assistance, Urban Streams Restoration Program has announced the availability of
funds for grants; and
WHEREAS, said grants are intended to help solve flooding and erosion problems
in a way that provides environmental enhancement, and
WHEREAS, the (Government Agency Cosponsor) has proposed to cosponsor
a grant application with; and
WHEREAS, we have concluded the project proposed for funding with the grant
funds would be environmentally beneficial and (pick one of the following):
(a) categorically exempt from requirements of the California Environmental Quality Act
(CEQA) under one or more of the following exemptions per sections 15300-15329 of
the CEQA Guidelines: (select appropriate class[es]);
(b) our local agency cosponsor has adopted a(n) (identify the name and year of
environmental document, e.g., Negative or Mitigated Negative Declaration,
Environmental Impact Report, 1999);
(c) our local agency cosponsor will comply with all requirements of CEQA prior to
implementation of the project.
implementation of the project.
WHEREAS, we consider the prospects of receiving a grant to be reasonably likely.
NOW, THEREFORE, BE IT RESOLVED We the(Citizens' Group) approve the joint application with
(Local Agency Governing Board) for an Urban Streams Restoration Program grant.
If offered such a grant, we authorize (Signator for Citizens' Group) to accept the grant and sign any contract for administration of the grant funds, (Project Manager) to develop a work plan for the project, and (Fiscal Agent) to submit invoices to the Department of Water Resources for activities carried out under the work plan for the grant contract.
PRIVATE CITIZENS' GROUP OR ORGANIZATION
(Signature)
(Title)

Attachment 4: DWR URBAN STREAMS PROGRAM PROJECT PERMITTING TEMPLATE

PERMITTING AGENCY	TYPE OF PERMIT	Required?	Applied?	COMMENTS
State Agencies:				
CA Dept. of Fish and Game	Streambed Alteration Agreement Permit (Section 1600)			
Regional Water Quality Control Board	National Pollutant Discharge Elimination System Permit (NPDES)			
State Water Resources	Water Rights Permit			
Control Board	vvater rights r errint			
State Water Resources	General Industrial Storm Water			
Control Board	Permit			
California Reclamation	Permission to encroach on waterways			
Board	within designated floodways			
State Lands Commission	Permit required if using and State owned property			
State Office of Historic	Cultural Resources – Submission of			
Preservation	findings to State Historic Preservation Officer (serves as compliance with Section 106 of the National Historic			
	Preservation Act)			
Federal Agencies:		_		
U.S. Fish and Wildlife Service	Section 7 consultation if federal nexus or Section 10 Permit: other			
U.S. Army Corps of	Clean Water Act Section 404 Permit			
Engineers				
U.S. Army Corps of	Rivers and Harbors Act Section 10			
Engineers	Permit			
U.S. Coast Guard/U.S.	Rivers and Harbors Act Section 9			
Army Corps of Engineers	Permit			
National Marine Fisheries	Consultation			
Service				
Local Planning Agencies:				
City/County	Grading Permit			
City/County	Environmental Health Department			
Others (List):				
Coastal Commission	Coastal Development Permit			
Coastal Commission	Letter of Consistency			
San Francisco Bay	Any relevant permit			
Conservation and				
Development Commission				
Tahoe Regional Planning	Any relevant permit			
Agency				
U.S. Natural Resources	Consultation			
Conservation Service	Consultation		1	
Local Resource	Consultation			
Conservation District				
California Environmental				
Quality Act (CEQA) Documentation:				
Exemption (List which one)				
. , ,				
Negative or Mitigated				
Negative Declaration Environmental Impact				
Report				
Izehorr		L		

Attachment 5: SAMPLE BUDGET AND TIMELINE FOR A RESTORATION PROJECT

OTHER IN-KIND | FUNDING | TIMELINE | UNIT PRICE QUANTITY AMOUNT **TASK DWR** 1. Labor and Administration Fall 2002 \$28,800 \$23,800 \$5,000 Project Manager \$60/hour 480 hours \$0 Consultant \$75/hour 160 hours \$12,000 \$10,000 \$2,000 \$0 Contingency (10% of total) \$32,550 \$27,550 \$5,000 \$0 Subtotal - Task 1 \$73,350 \$61,350 \$12,000 \$0 2. Permitting* \$7,500 \$5,500 \$2,000 \$0 Spr 2002 **USACOE** Nationwide Permit #? 401 Water Quality Certification Permit (RWQCB) 1601 Streambed Alteration Agreement Permit - DFG CEQA -(classification here) Subtotal - Task 2 \$7,500 \$5,500 \$2,000 \$0 3. Restoration/Bank Stabilization Fall 2002 \$7,000 \$7,000 \$0 \$0 Dewatering Re-grade streambanks to 3:1 slope \$150/lin. ft. 600 feet \$90,000 \$90,000 \$0 \$0 \$15,000 \$0 \$0 Trench bank toe, install boulders \$25/lin. ft. \$15,000 600 feet \$15,000 Placement of boulders - backhoe \$25/lin. ft. 600 feet \$10,000 \$5,000 \$0 Place jute netting, seeds, install riparian vegetation along re-sloped bank and floodplain terrace (crew of 6) \$90/hour 75 hours \$6,750 \$5,000 \$1,750 \$0 Install drip irrigation system (crew of 2) \$30/hour 60 hours \$1,800 \$1,800 \$0 \$0 Subtotal - Task 3 \$128,800 \$6,750 \$135,550 \$0 4. Materials and Equipment Fall 2002 Boulders, 12-36" \$50/ton \$2,000 \$2,000 40 tons \$0 \$0 Hand tools for revegetation work \$450 \$200 \$250 \$0 \$1,700 \$1,700 Irrigation supplies \$0 \$0 Native plants and materials \$9,500 \$5,000 \$4,500 \$0 Truck rental \$4,000 \$4,000 \$0 \$0 Subtotal - Task 4 \$12,900 \$17,650 \$4,750 \$0 5. Monitoring (annually, 5 years) 2002-2005 Replacement of lost vegetation/irrigation system maintenance \$1,000/yr \$5,000 \$1,500 \$0 5 years \$3,500 Monitoring site visit \$100/visit 5 years \$500 \$0 \$500 \$0 Production of monitoring report \$1,000 \$500 \$0 \$500 Subtotal - Task 5 \$6,500 \$2,000 \$4,500 \$0 6. Land Acquisition** (if applicable) Land appraisal, site assessment \$10,000 \$10,000 \$0 \$0 \$20,000/ac Right-of-way acquisition 5 acres \$100,000 \$25,000 \$25,000 \$50,000 Subtotal - Task 6 \$110,000 \$35,000 \$25,000 \$50,000 **GRAND TOTAL** \$350,550 \$245,550 \$55,000 \$50,000

^{*}Regulatory compliance costs may vary widely due to the scope and size of the project.

^{**}See attached schedule (Attachment 6) for details on land acquisition costs.

State of California Department of Water Resources Urban Streams Restoration Program Land Acquisition Cost Schedule - Attachment 6

Stream Name:				
Indicate fee or easment:				
Willing Seller? (circle one)	Y / N			
	ACQU	ISITION BUDG	ET	
I. Land Value	DWR Share	Other Share	Other Share Description	Total Cost
Fair market Value				
Improvements				
Other				
Subtotal				
II. Associated Costs				
Preliminary Title Report				
Appraisal				
Negotiations				
Escrow				
Surveying				
Site Assessment				
Other				
Other				
Subtotal				
	1			
III. Other Costs				
Administration				
Contingency				
Subtotal	<u> </u>			
One state I	1		1	
Grand Total				
	ACQUIS	SITION SCHED	ULE	
Description		Timeframe	Comments	
Request Appraisals				
	acut for Ctata	·	I	
Submit appriasal and title report for State approval				
Submit instruments of conve	•			
instructions, and purchase a State approval	greements for			

Close of escrow and complete acquisition